

RETIREMENT FOR DISABILITY IN THE LIGHTHOUSE SERVICE

FEBRUARY 27, 1925.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany S. 3613]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 3613) to provide for retirement for disability in the Lighthouse Service, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Commerce Department, as will appear by the letter attached and which is made a part of this report.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington.

Hon. W. L. JONES,
*Chairman Committee on Commerce,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: It is my earnest desire to bring to the attention of Congress a serious situation respecting disabilities incurred in the Lighthouse Service of this department.

The employees of the field service of the Lighthouse Service now may be retired for age under the lighthouse retirement act of June 20, 1918, but these provisions should be extended to cover cases of disability before the retirement age is reached. The general civil-service retirement act of May 22, 1920, contains such a provision, as do the laws applying to the Coast Guard, the Coast and Geodetic Survey, and the Army and Navy, and the result is that the field employees of the Lighthouse Service are now the only persons in the Government service who can not be retired for disability. Retirement for disability is of especial importance in the work of the Lighthouse Service, because it is essential that the personnel on lighthouse vessels and stations shall be physically competent; the work is hazardous, and the safety of lives and property is dependent on its faithful performance. This provision will increase the efficiency of the Lighthouse Service by tending to reduce accidents and to increase the reliability of aids to navigation.

Presidio, and negotiations were undertaken after the close of the exposition looking to transferring the Palace of Fine Arts and its site to the regents of the University of California on condition that it would procure for the Government the desired franchise and right of way. These negotiations fell through and the city and county of San Francisco is now undertaking to meet the terms of the War Department. Since it will be necessary to amend the charter of the city the final completion of the transfer of the right of way to the Government must be postponed until 1927, since the charter amendments must first be adopted at a city election and subsequently ratified by the State legislature, which will not meet again until 1927.

The desires of the city of San Francisco in this matter and the views of the War Department thereon are set forth in the following letters:

SAN FRANCISCO, CALIF.,
February 3, 1925.

HON. HIRAM W. JOHNSON,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Herewith I send a bill, which I sincerely hope you will introduce in the Senate, authorizing the Secretary of War to grant to the city and county of San Francisco for educational, art, exposition, and park purposes the Palace of Fine Arts and the ground upon which it is located, containing approximately 10 acres.

As you know, during the Panama Pacific International Exposition the Palace of Fine Arts, by reason of its architectural beauty, was the most admired of all buildings on the exposition grounds. There is now a movement on foot to rehabilitate and reface the building, to improve the interior and restore its former beauty. If the bill is passed, certain public-spirited citizens of San Francisco expect to raise the necessary money to carry out the proposed plan. As the building has a steel frame, it will, when the contemplated improvements are made, become a lasting monument and memorial of the great exposition.

An act of Congress was approved on May 12, 1917, authorizing the Secretary of War, in his discretion, to transfer the property to the regents of the university on condition that they would procure from San Francisco other lands to be used in connection with the Presidio reservation (Rev. Stats. 1917-18, 57). This act, by rider attached to the Army appropriation bill of 1918, was repealed, and by the same rider the Secretary of War was authorized in his discretion to transfer to the regents the same property on condition that the regents procure a judgment by consent in eminent domain proceedings against the city in favor of the United States, condemning other lands to be used in connection with the Presidio (Rev. Stats. 1917-18, chap. 143, p. 863). The purpose of this peculiar condition was to enable the Government to acquire a right of way for the operation of a railroad connecting Fort Mason with the Presidio.

The board of regents would not accept the grant, and the city and county of San Francisco had no power to give to the Government a valuable permit or franchise as a consideration for the transfer of property to a third party. The Government is now and for many years has been enjoying spur track privileges for the operation of the railroad connecting Fort Mason with the Presidio, and certainly it should give some consideration for that franchise. It may be necessary to amend the charter in 1926 to legally grant a permit or franchise to the Government, and for that reason, the bill contains the provision that "If before the first day of July, 1927, the city and county of San Francisco shall fail to grant, by valid ordinance to the United States, the right to maintain and operate said spur track, this grant shall become null and void," etc.

The time is fixed as of July 1, 1927, because we can not amend the charter until the November election of 1926, and all amendments adopted at that election will come before the legislature of 1927 for ratification.

I assure you that San Francisco will be truly grateful to you for your effort in bringing about the passage of this bill by the Senate.

Very sincerely yours,

JAMES ROLPH, Mayor.

WAR DEPARTMENT,
Washington, February 21, 1925.

The Hon. HIRAM W. JOHNSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your letter of February 19, I am pleased to inform you that the question of extending the time for removal of the Palace of Fine Arts from the Presidio of San Francisco reservation has been reconsidered. In view of the assurances of the mayor of San Francisco in his telegram of February 18, to you the War Department will offer no objection to the passage of S. 4264, which provides, among other things, that the time for removal of this building be extended to July 1, 1927.

Sincerely yours,

JOHN W. WEEKS, *Secretary of War.*

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